

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL PARRISH,

Petitioner,

ORDER

v.

10-cv-076-slc

JEFFREY PUGH, Warden,
Stanley Correctional Institution,

Respondent.

Michael Parrish, an inmate at the Stanley Correctional Institution, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pursuant to Rule 3 of the Rules Governing Section 2254 Cases, the petition must be accompanied by:

- (1) the five dollar (\$5) filing fee; OR
- (2) a motion for leave to proceed *in forma pauperis*, the affidavit required by 28 U.S.C. § 1915, and a certificate from the warden or other appropriate officer of the place of confinement showing the amount of money or securities that the petitioner has in any account in the institution.

Petitioner has not submitted either the filing fee or the paperwork necessary to support a determination that he is entitled to proceed without paying the filing fee.

A copy of a blank application for leave to proceed *in forma pauperis* is being mailed to petitioner with this order. Petitioner should complete it and return it to the court on or before March 3, 2010. Alternatively, petitioner must submit the \$5 filing fee.

In addition, petitioner failed to sign his petition under penalty of perjury, as required by Rule 2(c)(5). Petitioner may satisfy this requirement by signing and dating a statement that

reads: “I declare under penalty of perjury that the allegations made in my § 2254 petition are true and correct.” Petitioner must submit this statement on or before March 3, 2010.

The court will take no further action on the petition until petitioner: 1) returns a completed application for leave to proceed *in forma pauperis* or submits the filing fee; and 2) submits the signed statement described above. If petitioner fails to make these submissions on or before March 3, 2010, then the court will dismiss the petition for failure to prosecute.

Entered this 17th day of February, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge